

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAVID P. FABER,

Petitioner,

Case No. 1:12cv537

v.

Hon. Robert J. Jonker

BANK OF NEW YORK TRUST COMPANY, NA, et al.,

Respondent.

ORDER
APPROVING AND ADOPTING REPORT AND RECOMMENDATION

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties on October 10, 2012. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge, filed October 10, 2012, is approved and adopted as the opinion of the court.

IT IS FURTHER ORDERED that the Motion to Dismiss (docket #12), filed by Defendant Hibbons is **DENIED**.

/s/ Robert J. Jonker
ROBERT J. JONKER
UNITED STATES DISTRICT JUDGE

DATED: October 31, 2012.